

**BOROUGH OF SOUTH TOMS RIVER
REGULAR MEETING
SEPTEMBER 14, 2015, 7:00 PM**

Mayor Oscar Cradle opened the meeting with a Moment of Silence, and followed with the Flag Salute.

The Municipal Clerk read the following State of Public Notice:

This meeting of the Mayor and Borough Council was called pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting was sent to the Asbury Park Press on November 15, 2014; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk.

The Municipal Clerk proceeded with Roll Call:

	Gleason	Handshy	Mosley	Murray	Reevey	Ross	Cradle
Present	x	x	x	x		x	x
Absent					x		

PRESENTATION: South Toms River Baseball Appreciation

Mayor Cradle presented the players of the South Toms River Cal Ripken baseball league with their trophies for winning the 2015 District 2 Championship. Mayor Cradle thanked the coaches and parents for being active in the lives of the children. The team presented Mayor Cradle with a banner reflecting their championship.

Mayor Cradle read a proclamation for Trick or Treat & Halloween

MAYOR'S PROCLAMATION

The undersigned does hereby find and determine that it is necessary within the Borough of South Toms River to issue curfew regulations during the Halloween Season. It is ordered on the 14th day of September, 2015.

1. No one under the age of 18, unless accompanied by an adult, will be permitted on the streets after the hour of 8:00 p.m. on October 30, 2015, and 9:00 p.m on October 31, 2015.
2. South Toms River Trick-or-Treat day will coincide with Toms River's schedule

Oscar L. Cradle, Sr., Mayor
Borough of South Toms River

PUBLIC COMMENTS

The Municipal Clerk opened the Public Comment portion of the agenda, and asked those in attendance who have a questions, to step forward and provide their name and address.

Francis Brady, 7 Holly Court Toms River. Stated his appreciation for the Borough recognizing the Baseball players and parents. Also asked if the status of the Bike Path along Rt.166 and if any other applications have been submitted to the Land Use Board for the area next to his property (Sundaes) in the stripmall.

The Municipal Clerk stated that the Borough had a kick-off meeting with the State and is awaiting final notification on full approval for the Bike Path. However, all preliminary communications have been positive and we expect final approval in the very near future.

Kevin McCormack, OEM. Stated the Borough had the OEM Day Drill on September 1st, and will hold the Night Drill on September 29th from 4-7pm.

With no other comments, the Council closed Public Comment.

APPROVAL OF MINUTES

The following will be considered at the second meeting in September

Resolution 2015-211 Approving the minutes of August 24th, 2015

ORDINANCES:

Ordinance 10-15 ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ENTERING OF A LEASE-PURCHASE AGREEMENT FOR THE REAL PROPERTY COMMONLY KNOWN ON THE BOROUGH'S TAX MAPS AS BLOCK 19, LOT 1 (A/K/A 19 DOUBLE TROUBLE ROAD)(First Reading)

ORDINANCE 10-15

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE GROUND LEASE OF A PORTION OF THE LAND COMMONLY KNOWN AS BLOCK 20, LOT 1.02 TO THE SOUTH TOMS RIVER SEWERAGE AUTHORITY

WHEREAS, the Borough of South Toms River (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough is the owner of the land commonly known as Block 20, Lot 1.02 on the Borough tax maps ("Property") currently improved with recreational athletic fields; and

WHEREAS, the South Toms River Sewerage Authority ("Authority") seeks to ground lease a portion of the Property from the Borough for the purposes of constructing a garage in furtherance of the Authority's public activities; and

WHEREAS, the Borough is authorized under *N.J.S.A.* 40A:12-14 of the Local Lands and Buildings Law, *N.J.S.A.* 40A:12-1 *et seq.* ("Local Buildings Law") to lease real property not needed for public use to a public body for nominal or other consideration; and

WHEREAS, the municipal council of the Borough ("Municipal Council") desires to accommodate the Authority's needs and approve the entering of a long term ground lease of a portion of the Property (to be located in the southern portion of the parcel off Drake Lane) for nominal consideration as authorized by the Local Buildings Law.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Borough of South Toms River, in the County of Ocean, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council hereby authorizes and approves the Borough's entering of a long term ground lease with the Authority for a portion of the Property. The ground lease shall be for a term of 50 years for nominal consideration. The Mayor and Borough Clerk are hereby authorized to execute the ground lease in a form as approved by the Borough's counsel.

Section 3. A copy of this Ordinance shall be available for public inspection at the offices of the Borough Clerk.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

CERTIFICATION

I, Joseph Kostecki, Borough Clerk of the Borough of South Toms River, Ocean County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Municipal Council at a meeting held on the 27th day of July, 2015.

Joseph Kostecki, MPA, RMC, QPA, CMR
Municipal Clerk

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Gleason	x			
		Handshy	x			
		Mosley	x			
		Murray	x			
		Reevey				x
x		Ross	x			

RESOLUTIONS

Resolution 2015-207 Authorizing the Shared Service Agreement for Special Operations Group (SOG)

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	x	Gleason	x			
		Handshy	x			
		Mosley	x			
x		Murray	x			
		Reevey				x
		Ross	x			

Resolution 2015-209 Authorizing the entering of a License Agreement with M&T AT SOUTH TOMS RIVER, LLC with respect to certain investigations of the Borough Landfill

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	x			
	x	Handshy	x			
		Mosley	x			
		Murray			x	
		Reevey				x
x		Ross	x			

The Municipal Clerk read the Consent Agenda, to be considered at the second meeting in September.

The below listed items are considered to be routine by the Borough of South Toms River and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Resolution 2015- Recognizing the month of September as National Prostate Cancer Awareness Month.

EXECUTIVE SESSION

Resolution 2015-206 Authorizing Executive Session For the purposes of Contract Negotiation and Attorney-Client Privilege

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	x			
		Handshy	x			

	x	Mosley	x			
		Murray	x			
		Reevey				x
X		Ross	x			

Resolution 2015-2010 Approving the Police Chief's Contract as Amended

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Gleason	x			
		Handshy	x			
	x	Mosley	x			
		Murray	x			
		Reevey				x
X		Ross	x			

ADJOURNMENT

Motioned by Councilmember Moseley, Seconded by Councilmember Handshy, with unanimous consent @ 8:05 p.m.

Approved

Rev. Oscar L. Cradle, Sr., Mayor

Joseph A. Kostecki, MPA/RMC/QPA/CMR
Municipal Clerk